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ABSTRACT

This issue of WIN (Welfare Information Network) Issue Notes addresses what populations programs that provide services to incarcerated and released noncustodial parents should target, the support services that should be provided, and where and when these services can be most beneficial. Section 1 offers background. Section 2 answers these policy questions: why there is a need to develop programs and provide services to help noncustodial parents recently released from prison; how a flexible state child support system can be designed while following the federal guidelines; what kinds of services can be provided to noncustodial parents to prepare them to pay child support upon release; which entities should be involved in assisting felons; and how programs for currently and formerly incarcerated noncustodial parents can be funded. Section 3 summarizes findings of a study on experiences of fathers in prison for nonpayment of child support and an evaluation of a Denver community-based organization that provides support services to formerly imprisoned noncustodial parents. Section 4 describes innovative practices in Colorado, Illinois, Louisiana, Maryland, Pennsylvania, Texas, Wisconsin, and Volunteers of America. Nine resource contacts and eight publications are listed. (YLB)

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WELFARE INFORMATION NETWORK

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Support Services for Incarcerated and Released NonCustodial Parents

by Heidi Sachs

Background

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) includes critical child support provisions that emphasize the importance of holding parents accountable for the financial support of their children. The law required states to strengthen their child support enforcement programs, develop more aggressive enforcement techniques, and adopt additional provisions that give uniformity to state collection and processing efforts. Such efforts have led to a record rate of collections. For example, according to the U.S. Department of Health and Human Services, 2.8 million parents delinquent in child support payments were found in fiscal 1999 through the National Directory of New Hires. This figure is more than double the number found the previous year. For more information on the child support provisions of PRWORA, see the Welfare Information Network's *Resources for Welfare Decisions* "Innovations in Child Support Enforcement as a Result of PRWORA," at http://www.welfareinfo.org/sachsmarch.htm, and its *Issue Note*, "Child Support and Welfare Reform," at http://www.welfareinfo.org/yates2.htm.

In light of these stringent enforcement techniques, it is important to recognize the plight of noncustodial parents who are being released from prison. They are often poor, homeless, and struggling to support themselves. Many of these parents have child support arrearages and support orders larger than they can reasonably manage, which compounds their difficulties. Despite an obvious reduction in earning ability when a parent goes to prison, child support orders often are not modified when a parent is incarcerated. Consequently, when a parent is released, there is typically a huge gap between the amount that is owed and the amount that the parent is able to pay.

Many of these parents have multiple needs that must be met before they can reasonably support their children. Many lack job skills, communication skills, and education. They may also need counseling to cope with substance abuse, anger management, and mental health problems. In addition, these parents often do not understand their rights and obligations under the child support system, and may need help with issues relating to access and visitation, arrearages, and the modification of support orders. Finally, in many cases, these parents had little contact with their children prior to incarceration, making it difficult for them to feel responsible for their children upon release.

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This *Issue Note* addresses what populations these programs should target, the support services that should be provided, and where and when these services can be most beneficial.

Policy Questions

Why is there a need to develop programs and provide services to help noncustodial parents who have recently been released from prison? Quite often, low-income noncustodial parents are released from prison with no assets or savings, and without the job skills necessary to secure employment. At the same time, they are expected to resume their child support payments immediately upon release from prison. Without help, many of these parents are unable to find jobs and, therefore, unable to help support their families. Further, if obligors are unable to pay child support, they may be forced to return to prison.

The plight of noncustodial parents is particularly pressing because of their sheer number. According to the Federal Bureau of Justice Statistics, an estimated 1.7 million children in the United States have an imprisoned father, and the number continues to increase. Furthermore, according to some estimates, the combined number of children with parents in prison, on parole, and on probation is close to 5 million. Although some of these fathers will remain in prison throughout their children's lives, others can play a meaningful role in their children's economic and emotional well-being.

Because of the strict child support provisions of PRWORA, states must focus on how they can help incarcerated and released noncustodial parents become economically self-sufficient. Assisting these parents is also important because many of their children live in families that have low incomes or that are receiving Temporary Assistance for Needy Families (TANF). Child support payments can contribute dramatically to the economic status of poor children and may even help lift a family out of poverty.

In addition, many studies have shown that father involvement enhances children's mental and physical well-being. Fathers who cannot provide for their children financially and emotionally also tend to have less contact with their children than other fathers. Therefore, it is essential that noncustodial parents are taught the importance of father involvement. Parenting classes that teach parental responsibility and child development, in prison and upon release, can encourage fathers to play meaningful roles in their children's lives. For more information on father-child relationships refer to the Welfare Information Network's *Issue Note* "Father-Child Relationships in Welfare Reform," at http://www.welfareinfo.org/fatheris.htm.

How can a flexible state child support collection system be designed while following the federal guidelines? In most states, child support payments and the interest on arrearages accrue while a noncustodial parent is incarcerated. This means that released prisoners typically face large child support obligations, which may overwhelm them and discourage any efforts to resume support. Furthermore, unreasonably high child support orders can push obligors further away from the formal child support enforcement system and their children. Under TANF, states have considerable flexibility to develop programs to collect and encourage child support payments. State child support enforcement offices may choose to modify child support orders so that low-income noncustodial parents are only required to pay what they can afford. In some jurisdictions, noncustodial parents can pay small amounts in child support each month, such as $20 or $50. However, it is important to note that the modification of support orders while a parent is incarcerated is usually up to a judge's

discretion. Many judges view time in prison as voluntary unemployment and are unwilling to lower the payments. Moreover, modification can be a time-consuming and burdensome process for people unfamiliar with the child support system. Therefore, in addition to enacting policies that provide for very low support orders, state child support enforcement offices may want to help fathers navigate through the court administrative process.

What kinds of services can be provided to noncustodial parents to prepare them to pay child support upon release? Fathers who are unable to pay child support are sometimes difficult to find. The prison system is in a unique position of knowing the whereabouts of a father and to encourage, if not require, him to work with the court system and the child support enforcement agency. Correction systems may want to target fathers with support obligations, both in regard to employability and parenting, including their child support responsibilities.

Some prison systems have curricula that teach prisoners the skills they will need to secure a job and pay child support upon release from prison. Instruction can be given on how to cooperate with the custodial parent emotionally and financially, and how to work within the child support enforcement system. Prison systems can also offer education and training and classes in job preparation, conflict resolution, and reintegration into society. Basic life skills training can include instruction on how to balance a check book and open a savings account.

Entities that work with this population can also offer classes in parenting skills to obligors. Many of the fathers grew up in fatherless households, so they may need to learn and feel they have the skills and ability to be responsible parents. Programs could focus on child development, child rearing, responsible parenting, communication, conflict resolution, and anger management. These skills are critical to a noncustodial parent's self-sufficiency and ability to pay child support.

Which entities should be involved in assisting felons? Several entities can help parents make the transition from the criminal justice system to free society and assist them in achieving self-sufficiency. They include departments of corrections, offices of child support enforcement, human service agencies, community colleges, community-based organizations, and faith-based organizations. Although all of these entities can provide services, special attention needs to be paid to how they should work together.

Departments of corrections can offer education to inmates on child support, child rearing, and employment and training. These agencies can also facilitate visitations between inmates and their families. Some prison systems offer informational sessions on child support in conjunction with local offices of child support enforcement. Finally, some corrections departments refer parents to community-based agencies that can provide parents with more comprehensive services upon their release from prison.

Local offices of child support enforcement can work with inmates during the pre-release and post-release stages. Staff can provide educational sessions on how to navigate the child support system, what paternity establishment means, why it is in the fathers' best interests to comply with child support enforcement, and how to have a support order modified. Other sessions can focus on issues related to access and visitation. Child support enforcement offices can offer similar services to parents upon their release from prison. They can also refer parents to community-based organizations for services.

Community-based organizations are the entities that work most frequently with fathers who

have been released from prison. These organizations can offer services such as education and training, job search assistance, classes on child development, assistance with parenting and communication skills, and legal advice and support. A community-based group can also act as a liaison to the child support agency by helping fathers navigate the child support system and educating them on how to work with the custodial parent and how to be responsible parents. For more information on the role of community-based organizations in helping fathers, see the Welfare Information Network's *Resources for Welfare Decisions* "Collaborations with Community-Based Organizations to Promote Responsible Fatherhood," http://www.welfareinfo.org/heidiresourceoct.htm.

How can programs for currently and formerly incarcerated noncustodial parents be funded? No single federal agency specifically allocates funds to serve this population. However, multiple state agencies, including departments of labor, child support enforcement agencies, departments of corrections, and human service agencies, can develop programs for incarcerated fathers to assist them in meeting child support payments. Other funding may come from the Workforce Investment Act, private philanthropies, and foundations.

Funded by the U.S. Department of Labor's Employment and Training Administration, several of the Welfare-to-Work grantees targeted low-income noncustodial parents.

Some state TANF plans specify that TANF funds cannot be used for incarcerated parents. However, other states may use TANF dollars to fund programs that assist this population so long as the services comply with the purposes of TANF. Funding is allowable under two purposes of the welfare reform legislation: to end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage; and to encourage the formation and maintenance of two-parent families. For more information on the use of TANF dollars, refer to the Administration for Children and Families' "Guide on Funding Services for Children and Families Through the TANF Program," at http://www.acf.dhhs.gov/programs/ofa/funds2.htm.

Research

The Center on Fathers, Families and Public Policy is studying the effects and the frequency of aggressive and punitive child support policies on noncustodial fathers. It is looking specifically at the experiences of fathers who have been in prison for nonpayment of child support in Dane County, Wisconsin. Through anecdotal evidence, the center has found that many fathers are being arrested for nonpayment of support despite the fact that they may not understand the child support system and may not have the money to pay child support. The center also is examining issues related to finding a job when an obligor has a felony conviction because of nonpayment of support. Although only in the initial stage of research, the center is planning to use these findings to develop a case model and write a policy brief. Contact: Rebecca May, 608/257-3148.

The Center for Policy Research (CPR) is conducting an evaluation of the Colorado Work and Family Center, a community-based organization in Denver that provides support services to formerly imprisoned noncustodial parents. CPR also is collecting extensive information on the program's participants and analyzing whether efforts to lower support orders and work with parents on arrearage amounts help increase child support payments. The first report will be published in September; a longer report will be published in fall 2001. Contact: Jessica Pearson, 303/837-1555.

The Fragile Families and Child Well-Being Study is an ongoing project that is studying unwed parents, out-of-wedlock births, and public policies for children in fragile families. In the near future, the study hopes to investigate linkages among fathers' incarceration, their economic status, and family relationships. Contact : Irwin Garfinkel, principal investigator, 212/854-8489 or ig3@columbia.edu; *or Sara McLanahan, principal investigator, 609/258-4875, or mclanaha@princeton.edu*

Innovative Practices

Colorado - The Work and Family Center provides services to help ex-offenders reintegrate into society. The center helps noncustodial parents find jobs, connect with their children, and connect with other community agencies. In addition, a child support worker on staff helps the noncustodial parents manage their child support obligations.

With funding from the Colorado Office of Child Support Enforcement and Office of Corrections, the center also helps incarcerated parents understand their obligations under the child support enforcement system. A family law attorney visits corrections facilities throughout the state to work with prisoners at the pre-release state. His work in the prisons includes co-facilitating a presentation on child support and family formation with a person from the Office of Child Support Enforcement. Together they provide father-friendly informational sessions to inmates about their rights and responsibilities within the child support system, including why they must pay child support and how they can avoid problems. They also provide inmates with the necessary forms for support order review and modification as well as encourage fathers to petition for modification of their support orders. Currently, the Office of Child Support Enforcement is trying to determine whether there should be a statewide policy on the modification of child support payments when a low-income noncustodial parent is incarcerated.

The family law attorney also works with fathers who have been released from prison. He works specifically on parental visitation issues, such as re-establishing contact with the children and setting up a reintegration plan. In addition, he has established a nonprofit organization, the Parents' Legal Resource Group, to provide legal counseling to fathers and draft administrative forms for the courts. Contact: Chris Hardaway, 303/989-5293.

The Colorado Office of Child Support Enforcement also is working with the Department of Corrections to enable prisoners can use money from personal inmate accounts to pay child support. (Inmate accounts are personal accounts set up for each prisoner to buy basic goods, such as toiletries and snacks. Friends and family may deposit money into these accounts). Although the sum may only add up to a few dollars each month, program managers hope such a system will cultivate payers and send the message to parents that incarceration does not mitigate their child support responsibilities. Finally, upon prisoners' release, the Office of Child Support Enforcement refers them to the Work and Family Center. Contact Robert Conklin, Paternity Operations Unit, Colorado Office of Child Support Enforcement, 720/947-5030.

Illinois - At 24 prisons, the Division of Child Support Enforcement of the Illinois Department of Public Aid and the Illinois Department of Corrections offer imprisoned fathers with child support cases the opportunity to acknowledge paternity. The program has resulted in almost 2,000 paternity establishments. As an extension of this Paternity Establishment Prison Project, the Division of Child Support Enforcement also refers parents to community-based organizations that can help them with employment services, job training, and responsible parenting. In addition, the division works to decrease monthly child support payments so the payments are more manageable. Before an order can be modified, parents must first notify the division and document that they are working with a community-based organization and trying to find work. Contact: Joseph Mason, Division of Child Support Enforcement, 312/793-8217.

Lousiana

Lousiana - Project Return is a program at Tulane University that teaches former inmates to survive in society by helping them overcome addiction problems and master academic, communication, and coping skills. Participants spend almost 40 hours per week in classes to obtain their high school equivalency diplomas, learn how to resolve conflicts, and receive job training and placement assistance. Project Return also runs a workshop on "community building" in which participants work together to become a community. This helps them cope with stress and anger and develop communication and interpersonal skills. The program also emphasizes addiction treatment and counseling. Project Return also helps participants find and maintain employment. Convicted felons have the highest risk for unemployment in New Orleans, but two thirds of graduates of Project Return since 1994 are employed.

Due in part to project returning, Louisiana has a recidivism rate of 37.5 percent within the first six months of release from prison and 75 percent after six months. The Bureau of Justice Assistance's Division of Correctional Options has called Project Return the nation's most successful prison after-care program. Visit http://www.projectreturn.com/ for more information.

Maryland - Men's Services, a project of the Center for Fathers, Families and Workforce Development, is a community-based fatherhood program that works with fathers who have been in prison. Operating throughout Baltimore City, the program helps the men understand the child support system, offers job training and employment services, and helps the men secure driver's licenses. Men's Services is looking to integrate its program with the Maryland Transitions Center, a state program that works with prisoners who recently have been released.

The Center for Fathers, Families and Workforce Development also has developed a six-week program for incarcerated fathers that will include a child support component. Program managers will teach inmates their rights under the child support enforcement system and educate them on the importance of making payments. The center is currently waiting for the Maryland Department of Corrections to approve this model, which will also include an evaluation mechanism.

In addition, the center has developed a program in partnership with the Maryland Division of Child Support Enforcement to work on debt leveraging. The program will work with fathers coming out of prison who owe high amounts of back child support to have a portion of their child support arrearages forgiven. The program is set for implementation in July 2000. Contact: Malcolm Smith, Center for Fathers, Families and Workforce Development, 410/367-5691.

Pennsylvania - Long Distance Dads is a component of The Fathers Workshop, a program that works to meet the needs of fathers and their families. Long Distance Dads was developed in collaboration with the Pennsylvania Department of Corrections at the State Correctional Institution at Albion. It seeks to help incarcerated men develop the skills they need to become more involved and supportive fathers. The program develops and provides training and curriculum for incarcerated individuals, community-based organizations, state-based organizations, shelters, parole officers, corrections boards, and child support offices that work with fathers who are being released from prison. Specifically, Long Distance Dads works with state-based agencies to teach them how to better utilize community-based organizations in men's transition from jail to mainstream society. The program works to empower fathers to assume emotional, moral, spiritual, psychological and financial responsibility for their children, both during their incarceration and upon their release from prison. Contact: The Fathers Workshop at http://www.thefathersworkshop.org.

Texas - PATCH (Papas and Their Children), a program in a transitional jail facility within the San Antonio Jail, offers daily educational classes for inmates. The classes address behavior modification, substance abuse prevention, parenting, nutrition, and anger management. PATCH also includes a child support component; a professional from the San Antonio Attorney General's Office visits the jail to teach the inmates about child support. Issues addressed include how to adhere to the rules and regulations of child support enforcement and why parents may want to do so. The program serves approximately 70 inmates at a time, and has been in operation since 1993. Contact: Aisa Camero, MATCH/PATCH Program Coordinator, 210/270-6330.

Wisconsin - The Center on Fathers, Families and Public Policy (CFFPP) provides technical assistance to the Madison Fatherhood Program, a community-based initiative that works with formerly incarcerated fathers. CFFPP staff provide informational sessions about the child support system to the participating fathers. The Legal Assistance Project at CFFPP also has published question-and-answer booklets that provide state-specific legal information about fatherhood and child support for low-income non-custodial fathers in California, Illinois, Maryland, and Wisconsin. Contact: Jacquelyn Boggess, 608/257-3148.

The Family and Corrections Network (FCN) offers information on children of prisoners, parenting programs for prisoners, prison visiting, incarcerated fathers and mothers, hospitality programs, keeping in touch with families, returning to the community, the impact of the justice system on families, and prison marriage. In collaboration with the National Practitioners Network for Fathers and Families Inc., FCN is hosting a conference this September titled "The North American Conference on Fathers Behind Bars and on the Streets." The conference will explore practice, research, and policy issues related to fathers

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who live in the community and those who are incarcerated in local, state, and federal corrections institutions. Contact: Jim Mustin, fcn@fcnetwork.org, 32 Oak Grove Road, Palmyra, VA 22963.

The focus of this paper is on programs and policies to help non-custodial parents become self-sufficient and pay child support. However, it is important to note that many states also have broader reintegration programs for people in the pre- and post-release stages. Such programs help former convicts readapt to society and aim to reduce recidivism.

Volunteers of America has a reintegration component that aims to teach former offenders how to live within the law and make the transition from prison to the community. The organization operates 66 correctional programs; 53 of these programs are residential programs. In 1997, Volunteers of America served more than 19,000 individuals in correctional programs in 18 states. It strives to provide professional rehabilitation, giving prisoners the social, spiritual, and vocational tools they need to be responsible, accountable members of society. Contact: Ron Field, 703/341-5000.

For More Information...

RESOURCE CONTACTS

Center for Fathers, Families and Workforce Development, Malcolm Smith, 410/367-5691.

Center for Law and Social Policy, Vicky Turetsky, 202/328-5140; or http://www.clasp.org.

Center for Policy Research, Jessica Pearson, 303/837-1555.

Center on Fathers, Families, and Public Policy, 608/257-3148.

C.S. Mott Foundation, Lorin Harris, 810/238-8152; or http://www.mott.org.

Family and Corrections Network, http://www.fcnetwork.org.

Institute for Responsible Fatherhood and Family Revitalization, 202/293-4420.

National Center on Fathers and Families, Wayne Salter, 215/573-5500; or http://www.ncoff.gse.upenn.edu/

National Practitioners Network for Fathers, Preston Garrison, 202/737-6680, ext. 203 or pgarrison@npnff.org; *http://www.npnff.org*. *http://www.npnff.org*.

Publications

Publications

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- "Washington State's Corrections Clearinghouse: A Comprehensive Approach to Offender Employment Program Focus." July 1999. Available at http://www.abtassoc.com/reports/criminal justicewashington.pdf.

Forthcoming: Pearson, Jessica. "Model Programs for Incarcerated and Released Obligors." *Design Brief* (August 2000). Welfare Information Network, Washington, D.C. This brief discusses the goals of programs for incarcerated parents and provides technical assistance on developing these programs.

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The **Making Wages Work** website and accompanying list serve are dedicate to encouraging the discussion and promotion of policies and programs such as Earned Income Tax Credit, work incentives, the minimum wage, food stamp unemployment insurance, and child support that supplement income and wage order to help families escape poverty and avoid welfare dependency. Visit the website and join the discussion list at www.makingwageswork.org

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